

Applicants: David M. Stern et al.  
U.S. Serial No.: 09/394,204  
Filed: September 10, 1999  
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**REMARKS**

Claims 20 and 27-30 are pending in the subject application. Applicants have amended claim 20. Support for this amendment can be found in the specification, *inter alia*, on page 36, lines 19-21, and Figure 1D. Applicants maintain that this Amendment does not raise any issue of new matter. Accordingly, upon entry of this Amendment, claims 20 and 27-30 will be pending and under examination.

**Rejection under 35 U.S.C. §112, First Paragraph**

The Examiner rejected claims 20 and 27-30 under 35 U.S.C. §112, first paragraph, as allegedly not enabled such that a person skilled in the relevant art would be able to make or use the invention commensurate in scope with the claims. Specifically, the Examiner alleges that while the specification is enabling for a binding assay using the specific purified ERAB polypeptide of SEQ. ID. NO: 2 and the amyloid-beta polypeptide structurally described on pages 1-2 of the specification, it does not reasonably provide enablement for any method in which the required components necessary to practice the method are structurally and functionally uncharacterized (i.e., as it relates to generic uncharacterized ERAB polypeptides).

In response, applicants respectfully traverse. Claim 20, as amended, provides a method for evaluating the ability of an agent to inhibit binding of human ERAB polypeptide (SEQ. ID. NO: 2), or a

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fragment or polymorphism thereof, to amyloid-beta peptide. Applicants maintain that the human ERAB polypeptide is sufficiently characterized such that one skilled in the relevant art could make or use the invention commensurate in scope with the claims. For this reason, applicants maintain that claim 20, and dependent claims 27-30, are enabled.

### Summary

In view of the remarks made herein, applicants maintain that the claims pending in this application are in condition for allowance. Accordingly, allowance is respectfully requested.

If a telephone interview would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

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No fee is deemed necessary in connection with the filing of this Amendment. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

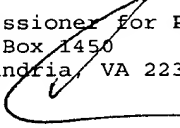
Respectfully submitted,



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